



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

HOJO, Hisakazu et al.

Serial No.: 10/046,277

Filed: January 16, 2002

Group Art Unit: 1761

Examiner: Helen F Pratt

P.T.O. Confirmation No.: 2379

FOR: INORGANIC PARTICLES-CONTAINING ADDITIVE COMPOSITION,
MANUFACTURING METHOD THEREOF AND FOOD COMPOSITION
CONTAINING THE ADDITIVE COMPOSITION

RESPONSE TO THE RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: January 9, 2004

Sir:

This is in response to the Office Action of December 10, 2003, requiring restriction between alleged inventions under the provisions of 35 USC § 121.

In the Action, the examiner made a restriction requirement between the inventions of **Group I** drawn to an inorganic particle additive (claims 1-7 and 12); and **Group II** drawn to a method of making the particle additive (claims 8-10). It is believed that claim 11 should also be included in Group I.

Applicants hereby provisionally elect **Group I**, that is, **claims 1-7, 11 and 12**, for examination on the merits in this application. Applicants reserve the right to file one or more divisional applications directed to the subject matter of the non-elected claims.

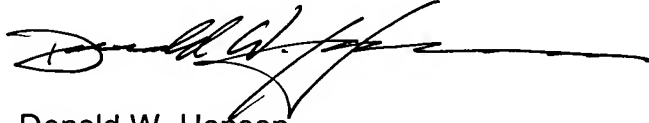
Serial No.: 10/046,277
OA dated December 10, 2003
Resp dated January 9, 2004

Favorable consideration of the subject application is respectfully requested.

In the event this paper is not timely filed, the undersigned hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 01-2340, along with any other additional fees which may be required with respect to this response.

Respectfully submitted,

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